

## Nation



The Attorney General on the stand: "Proud of the conduct of the department in this matter"

## Civiletti for the Defense

*He mollifies a suspicious Senate subcommittee*

**D**id he or didn't he? Boiled down to its essentials, that was the question as U.S. Attorney General Benjamin Civiletti strode purposefully into the ornate Senate Caucus Room last week. He was there to answer a subcommittee's questions about whether he, the nation's chief law enforcement officer, and his aides had properly handled their investigation of Billy Carter's dealings with Libya. In six hours of skilled testimony, Civiletti made a stout defense. Said he: "I am both comfortable with and proud of the conduct of the department in this matter."

Civiletti readily admitted one error: telling reporters initially that he had "never talked about Billy's Libyan connection with the President." He said that he had thought the question referred to a "substantive discussion," not a "brief conversation." Said Civiletti: "I replied, 'No.' I was wrong in attempting to draw such a close, lawyer-like distinction."

Otherwise, Civiletti acknowledged no wrong. A day earlier, Joel Lisker, who heads the Justice Department's foreign agents registration unit, had raised several questions in the Senators' minds. He recalled that on June 11, when he told Civiletti that Billy Carter had admitted receiving \$220,000 from the Libyans, the Attorney General had ordered him to "wait ten days and see what happens." Six days later, as Civiletti has said, he warned the President that his brother was "foolish" for not registering as a foreign agent (Billy finally did so on July 14).

Civiletti told the Senators that he could not recall telling Lisker to delay the investigation of Billy but, if he did so, it was only to give the President's brother more time to register. Civiletti contended that he raised the matter with the President only as a way of warning the President that "this was an investigation

that I could not discuss with him."

The explanation left many Senators unsatisfied, as did Civiletti's defense of his decision not to pass on to Justice Department investigators a report in mid-April from CIA Director Stansfield Turner that Billy was negotiating with Libya on behalf of Charter Oil Co. and that the Libyans might be making a payment to Billy.

Civiletti maintained that giving the information to Assistant Attorney General Philip Heymann, who was in charge of investigating Billy, might have jeopardized the CIA's source. But he said that he did tell Heymann that he had been "informed of highly sensitive intelligence information regarding the Billy Carter matter, and that he should not close the investigation until he had received that information and evaluated it." Asked South Carolina Republican Strom Thurmond: "Weren't you forcing them to look for a needle in a haystack, and you wouldn't even tell them which haystack?" In any event, Heymann's deputies required only six weeks to learn the information on their own. The President's National Security Adviser, Zbigniew Brzezinski, was even quicker. He had already warned Billy that his Libyan negotiations might embarrass his brother. Justice Department lawyers are now investigating whether Brzezinski violated federal espionage laws.

Summed up the Attorney General: "Billy Carter was shown no favoritism. Billy Jones might have got the same treatment." This seemed to mollify the Senators, even acerbic Republican Robert Dole of Kansas. Said he of the Justice Department's treatment of Billy: "You look at it one way and it looks very bad, and you look at it another way, and there's nothing much [wrong]." Some Senators clearly were beginning to believe that the probe was much ado about nothing. ■